

## DENTAL EXAMINERS BOARD[650](cont'd)

fessional judgment of the dentist based upon the individual needs of the patient.

**10.3(57)** General supervision shall not preclude the use of direct supervision when in the professional judgment of the dentist such supervision is necessary to meet the individual needs of the patient.

**10.3(6)** Nothing in these rules shall be interpreted so as to prevent a licensed dental hygienist from providing educational services, assessment, screening, or data collection for the preparation of preliminary written records for evaluation by a licensed dentist.

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 2/15/06.

## ARC 4906B

## DENTAL EXAMINERS BOARD[650]

## Adopted and Filed

Pursuant to the authority of Iowa Code section 147.76, the Board of Dental Examiners hereby amends Chapter 29, "Deep Sedation/General Anesthesia, Conscious Sedation and Nitrous Oxide Inhalation Analgesia," Iowa Administrative Code.

This amendment clarifies procedures for the renewal and reinstatement of permits to administer deep sedation/general anesthesia and conscious sedation.

This amendment is subject to waiver at the sole discretion of the Board in accordance with 650—Chapter 7. However, application and renewal fees are not subject to waiver, pursuant to 650—15.9(17A,147,153,272C).

Notice of Intended Action was published in the Iowa Administrative Bulletin on September 28, 2005, as **ARC 4536B**. A public hearing on the amendment was held on October 18, 2005. One written comment in support of the amendment was received. One change to the Noticed amendment has been made. In subrule 29.11(3), the phrase "for more than 60 days" has been eliminated because subrule 29.11(2) already provides a grace period for late renewal of the permit.

This amendment was approved at the January 18, 2006, regular meeting of the Board of Dental Examiners.

This amendment is intended to implement Iowa Code chapters 147, 153, and 272C.

This amendment will become effective on March 22, 2006.

The following amendment is adopted.

Amend rule 650—29.11(153) as follows:

**650—29.11(153) Renewal.** *A permit to administer deep sedation/general anesthesia or conscious sedation shall be renewed biennially at the time of license renewal. Permits expire on June 30 of every even-numbered year.*

**29.11(1)** *To renew a permit, a licensee must submit the following:*

*Beginning 12 months from December 10, 1997, and for each renewal thereafter, permit holders are required to maintain evidence a. Evidence of renewal of ACLS certification.*

*Beginning 12 months from December 10, 1997, and for each renewal thereafter, permit holders are required to submit a b. A minimum of six hours of continuing education in*

the area of sedation. These hours may also be submitted as part of license renewal requirements.

*c. The appropriate fee for renewal as specified in 650—Chapter 15.*

**29.11(2)** *Failure to renew the permit prior to September 1 following its expiration shall cause the permit to lapse and become invalid for practice.*

**29.11(3)** *A permit that has lapsed may be reinstated upon submission of a new application for a permit in compliance with rule 29.5(153) and payment of the application fee as specified in 650—Chapter 15.*

[Filed 1/27/06, effective 3/22/06]

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## ARC 4897B

ENVIRONMENTAL PROTECTION  
COMMISSION[567]

## Adopted and Filed

Pursuant to the authority of Iowa Code sections 455B.105 and 455B.173, the Environmental Protection Commission hereby amends Chapter 61, "Water Quality Standards," Iowa Administrative Code.

Notice of Intended Action was published in the Iowa Administrative Bulletin on September 14, 2005, as **ARC 4504B**. Seven public hearings were held with notice of the hearings sent to various individuals, organizations, associations and interest groups, and to statewide news network organizations. Comments were received from 381 persons and organizations. A responsiveness summary addressing the comments can be obtained from the Department of Natural Resources. After all comments from the public hearings were considered, no modifications were made to the final amendments from those published in the Notice.

The final rules adopt changes to the Commission's Water Quality Standards (WQS) as summarized below:

- Eliminate the exceptions of the design low flow requirement.
- Revise the general use classification.
- Designate as Class B(WW-1) Warm Water – Type 1 all of Iowa's perennial rivers and streams and intermittent streams with perennial pools that are not currently designated. (For more information about the Class B(WW-1) use designation, see **ARC 4895B** published herein.)
- Designate as Class A1 – Primary Contact Recreational Use all of Iowa's perennial rivers and streams and intermittent streams with perennial pools.

Additional information on Iowa's Water Quality Standards and the Department's rules can be found on the Department's Web site at <http://www.iowadnr.com/water/standards/index.html>.

These amendments may have an impact upon small businesses.

These amendments are intended to implement Iowa Code chapter 455B, division III, part 1.

These amendments will become effective March 22, 2006.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of

## ENVIRONMENTAL PROTECTION COMMISSION[567](cont'd)

these amendments [61.2(5), 61.3(1), 61.3(2), 61.3(5)] is being omitted. These amendments are identical to those published under Notice as **ARC 4504B**, IAB 9/14/05.

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[For replacement pages for IAC, see IAC Supplement 2/15/06.]

**ARC 4895B****ENVIRONMENTAL PROTECTION  
COMMISSION[567]****Adopted and Filed**

Pursuant to the authority of Iowa Code sections 455B.105 and 455B.173, the Environmental Protection Commission hereby amends Chapter 61, "Water Quality Standards," Iowa Administrative Code.

Notice of Intended Action was published in the Iowa Administrative Bulletin on September 14, 2005, as **ARC 4505B**. Seven public hearings were held with notice of the hearings sent to various individuals, organizations, associations and interest groups, and to statewide news network organizations. Comments were received from 381 persons and organizations. A responsiveness summary addressing the comments can be obtained from the Department of Natural Resources.

The adopted amendments include changes to the rule-referenced document "Warm Water Stream Use Assessment and Attainability Analysis Protocol" (hereafter, "the protocol"). The modifications were made after all comments from the public hearings were considered.

The changes to the protocol are as follows:

1. Language under Section II. Surface Water Classification was modified. The original protocol cited rule language in 61.3(1)"b" that did not reflect the changes proposed in **ARC 4504B** and adopted in **ARC 4897B** herein. Specifically, the words "of significance" have been deleted to be consistent with the changes in 61.3(1)"b."

2. Language was added to the guidelines for Class HH Human Health streams in Subsection V. E. A guideline for Class HH waters has been added to include "game fish of harvestable size." This provides additional clarification to what might be considered when determining the applicability of a Class HH use for specific water bodies.

With the inclusion of the modifications described above, the final rules adopt changes to the Commission's Water Quality Standards (WQS) as summarized below:

- Change the current Class B(LR) use designation from Limited Resource Warm Water to Warm Water – Type 2 (Class B(WW-2)).
- Change the current Class B(WW) use designation from Significant Resource Warm Water to Warm Water – Type 1 (Class B(WW-1)).
- Add a new use designation titled Warm Water – Type 3 (Class B(WW-3)).
- Add a new use designation titled Human Health (Class HH).
- Incorporate by reference the document entitled "Warm Water Stream Use Assessment and Attainability Analysis Protocol," which proposes an approach to be followed in assessing the warm water uses of streams.

- Establish dissolved oxygen, chemical, and ammonia-nitrogen criteria for the new proposed use designation of Class B(WW-3) at the same level that is associated with the existing Class B(LR) use designation.

- Transfer all existing Class B(WW) designated waters to the new Class B(WW-1) use designation.

- Transfer all existing Class B(LR) designated waters to the new Class B(WW-2) use designation.

- Incorporate the proposed use designation nomenclature into the text of the Water Quality Standards at numerous locations and into the applicable rule-referenced documents.

- Add Class HH to Table 1, Criteria for Chemical Constituents, and transfer to Class HH all Human Health – Fish criteria for Class B(WW), Class B(LW) and Class B(CW) designated waters and Human Health – F & W criteria from Class C designated waters.

Additional information on Iowa's Water Quality Standards and the Department's rules can be found on the Department's Web site at <http://www.iowadnr.com/water/standards/index.html>.

These amendments may have an impact upon small businesses.

These amendments are intended to implement Iowa Code chapter 455B, division III, part 1.

These amendments will become effective March 22, 2006.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [61.3(1), 61.3(3), 61.3(5), 61.3(7)] is being omitted. These amendments are identical to those published under Notice as **ARC 4505B**, IAB 9/14/05.

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**ARC 4896B****ENVIRONMENTAL PROTECTION  
COMMISSION[567]****Adopted and Filed**

Pursuant to the authority of Iowa Code sections 455B.304, 455B.305, 455B.306, 455B.310 and 455D.7, the Environmental Protection Commission hereby amends Chapter 101, "Solid Waste Comprehensive Planning Requirements," Iowa Administrative Code.

The amendments pertain to solid waste comprehensive planning and the disposal of solid waste by planning areas in sanitary landfills outside the planning area. The amendments are needed to implement 2005 Iowa Acts, chapter 31 [House File 399]. The amendments add some flexibility for planning areas in addressing the comprehensive planning requirements. Under these amendments, a planning area that closes all of its municipal solid waste sanitary landfills and uses a transfer station to send all waste to a Resource Conservation and Recovery Act Subtitle D compliant sanitary landfill located in another planning area is allowed to retain its autonomy for solid waste comprehensive planning purposes.

Notice of Intended Action was published in the November 9, 2005, Iowa Administrative Bulletin as **ARC 4650B**. No comments were received during the public comment period,